



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

OCT 15 2015

**CERTIFIED MAIL: RETURN RECEIPT REQUESTED, #7014 0150 0000 2454 8096**  
**GENERAL NOTICE LETTER**  
**URGENT LEGAL MATTER - PROMPT REPLY NECESSARY**

Suzanne Smaihall Cornelius  
6430 Buffalo Speedway  
Houston, Texas 77005

**Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana;  
CERCLIS #: LAD008434185; General Notice Letter and Opportunity to Meet**

Dear Ms. Cornelius:

The purpose of this letter is to provide you with written notice of your potential liability at the SBA Shipyard Superfund Site (Site) located in Jennings, Jefferson Davis Parish, Louisiana. Information available to the U.S. Environmental Protection Agency (EPA) indicates that you are the current owner of the Site.

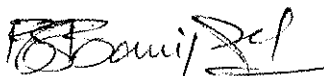
In May 2015, the EPA initiated a removal action at the Site under the Clean Water Act, as amended by the Oil Pollution Act of 1990 (OPA). The EPA has completed the OPA removal action and a Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA) emergency removal action (ER) at the Site. The ER addressed the immediate threat posed by a buried barge with high concentrations of PAHs and wastes. The OPA removal action is projected to be completed in October 2015.

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

You have been identified as the current owner of the Site. Enclosure A explains the General Notice and the basis for the EPA's determination that you are a PRP and offers you the opportunity to meet with EPA representatives to discuss your liability at the Site. Also included in this letter as Enclosure B is the evidentiary documents, Enclosure C is the Small Business Resource Fact Sheet, and Enclosure D lists the parties receiving this letter.

Please notify Mr. Kenneth Talton in **writing** at the address indicated in Enclosure A ***within seven (7) calendar days of the date of receipt of this letter*** to indicate your willingness to meet with EPA representatives to discuss your liability at the Site. We encourage you to give this matter your immediate attention and request. Thank you in advance for your cooperation. We look forward to working closely with you in the future. If you have any questions regarding the notice or any of the documentation included, please contact Mr. Talton at 214-665-7475. Questions concerning legal matters should be directed to EPA attorney Ms. I-Jung Chiang, at 214-665-2160. Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Ben Banipal', with a stylized flourish extending from the end.

Ben Banipal, P.E.  
Associate Director  
Technical and Enforcement Branch  
Superfund Division

CC: Tim Burgess, Attorney  
via email – [tim@lawburgess.com](mailto:tim@lawburgess.com)

**Enclosures:**

- A General Notice
- B Evidentiary Documents
- C Small Business Resource Fact Sheet
- D Parties Receiving General Notice letter

## **ENCLOSURE A**

### **SBA SHIPYARD SUPERFUND SITE JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA**

#### **GENERAL NOTICE**

This Notice is from the U.S. Environmental Protection Agency (EPA). This Notice is directed to you, the Potentially Responsible Party (PRP) of the SBA Shipyard Superfund Site. This Notice does five things:

1. This Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this Notice, we mean the SBA Shipyard Superfund Site located on the west bank of the Mermentau River at the end of Louisiana Highway 3166 approximately four miles southeast of Jennings, Louisiana and approximately two miles southwest of the Mermentau River. SBA is situated on approximately 98 acres of land located in a rural-industrial area, at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana. The facility is within Section 19 of Range 2W, Township 10S. The facility was used to construct, repair, and clean out barges and other marine vessel during the mid-1960's to the early 1990's. This Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This Notice provides background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source of the contamination.
3. This Notice invites you to meet with EPA representatives to discuss your liability at the Site.
4. This Notice explains that the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. The EPA is providing information regarding small business owners.

#### **NOTICE THAT YOU MAY BE LIABLE**

Under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance), or persons who selected that facility and transported the hazardous substances to the facility. Section 107(a) of CERCLA states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting response actions at the SBA Shipyard Superfund Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements or paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

## **BACKGROUND**

The SBA Shipyard Superfund Site (Site) is situated on approximately 98 acres of land located in a rural-industrial area, at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana. The facility is located in south Jennings, LA and bordered to the north by residents, south and west by wetlands, and to the east by the Mermentau River. Access to the property is restricted with fencing and locked gates.

SBA Shipyards, Inc., (SBA) was incorporated in the state of Louisiana on June 2, 1965, for the purpose of construction, repair, retrofitting, cleaning of barges and other marine vessels. SBA operated a barge cleaning and barge repair facility at the Site from 1965 to 1993. The facility is now inactive and abandoned.

Barges serviced at the Site typically held diesel, coal tar, crude oil, gasoline and asphalt. Wastes from the barge cleaning operations were managed in a waste management area that included four impoundments, a land treatment unit (LTU), and storage tanks. The wastes consisted of petroleum hydrocarbons which are the primary contaminants. The hydrocarbons were separated from the water into surface impoundments that were known as the Oil Pit, Water Pit 1, Water Pit 2 and Water Pit 3. Water was recycled to barge cleaning and some of the water was converted to steam for the cleaning operations.

Numerous attempts were made to bio-remediate and close the impoundments which began in 1989. In 1991 the bioremediation was determined to be unsuccessful. Land treatment of wastes continued through 1993.

On December 9, 2002, SSIC Remediation, L.L.C., (SSIC) entered into an Order and Agreement for Interim Measures/Removal Action (IM/RA) of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., pursuant to Resource Conservation Recovery Act (RCRA) Section 3008(h) with EPA.

Approximately 33.8 million pounds of oils, waxes and sludges, pumpable oily material and oily tank heels, 70 tons of contaminated debris, and 88 tons of recyclable scrap steel were removed from the Site under the IM/RA.

As part of the IM/RA, the Oil Pit and wastes from the storage tanks were stabilized and solidified for off-site disposal. Approximately 750,000 gallons of uncontaminated pond water were pumped from the former Water Pits to the drainage ditch that drains to the Mermentau River. The emptied Water Pit was then used to receive treated storm water from the partially buried barge. Pumpable oil materials were removed and buried which was then used to store contaminated storm water prior to treatment and discharge to the emptied Water Pit.

In September 2012, the Louisiana Department of Environmental Quality (DEQ) referred the Site to EPA for potential response action. In May 2013, EPA conducted a Preliminary Assessment of the site and the final report which is dated June 3, 2013, confirmed the contamination of the site referenced above. On October 23 and 25, 2013, the United States Coast Guard responded to a release from an on-site buried barges.

As mentioned in the transmittal letter for this notice, EPA has completed the OPA removal action and the emergency removal action at the Site.

## **OPPORTUNITY TO MEET**

The EPA will provide you an opportunity to meet with EPA representatives to discuss your liability. If you wish to participate in such a meeting, please notify Mr. Talton.

## **ABILITY TO PAY SETTLEMENTS**

The EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. In accordance with Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7), EPA will review financial information that you submit in order to determine whether you have an inability or a limited ability to pay response costs incurred at the Site. As part of this review, EPA will take into consideration your overall financial condition and demonstrable constraints on your ability to raise revenue.

Based upon the financial information that you may submit, EPA will determine whether it can qualify for a reduction in the settlement amount and/or an alternative payment method within the meaning of Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7).

If you believe that you qualify for a reduction in any settlement amount and/or alternative payment amount under the criteria described in the paragraphs above, please contact Mr. Talton, at 214-665-7475 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements and an information request for your relevant financial information, and you will be asked to submit financial records including business federal income tax returns. If EPA concludes that you have a legitimate inability to pay the full amount of the response costs, EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because EPA has a potential claim against you, if your financial status changes in any significant way, e.g., filing for bankruptcy, you must include EPA as a creditor. The EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.

## **RESOURCES AND INFORMATION FOR SMALL BUSINESSES**

As you may be aware, on January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblrbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at [www.epa.gov](http://www.epa.gov). In addition, the EPA Small Business Ombudsman may be contacted at [www.epa.gov/sbo](http://www.epa.gov/sbo). Finally, EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure C).

### **YOUR RESPONSE TO EPA**

In addition to oral notification, please notify Mr. Talton in **writing** at the address indicated below ***within seven (7) calendar days of the date of receipt of this letter*** to indicate your willingness to meet with EPA representatives to discuss your liability at the Site. **If the EPA does not receive your written response within seven (7) calendar days, the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter and questions regarding the matters in this letter should be directed to:

Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-TE)  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733  
[talton.chuck@epa.gov](mailto:talton.chuck@epa.gov)  
(214) 665-7475

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. I-Jung Chiang, Attorney  
Office of Regional Counsel (6RC-S)  
U.S. EPA Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733  
[Chiang.I-Jung@epa.gov](mailto:Chiang.I-Jung@epa.gov)  
(214) 665-2160

The discussions of fact or law in this Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this Notice.

**ENCLOSURE B**

**SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA  
GENERAL NOTICE LETTER**

**EVIDENTIARY DOCUMENTATION**

**Property Records**

**Jefferson Davis Parish Assessor's Office**  
**300 N. State Street, Suite 103**  
**Jennings, LA, 70546**  
 Tax Roll Updated 09/09/2014



*The data listed on this web site is updated weekly by the Assessor's office. For property transfers with no legal description changes, this data is updated in the Assessor's office approximately 3 to 4 weeks from the filing date as they are acquired from the Clerk of Court's office. For large tracts and descriptions that appear to be erroneous may be longer in being posted.*

*The user accepts the data "as is" with no guarantee or warranty of accuracy, currency, completeness, or fitness for any use.*

## Jefferson Davis Parish Assessor Current Assessment Listing

**Parcel#**

200409500

**Primary Owner**

SMAILHALL, LOUIS &amp; SUZANNE C.

**Mailing Address**

C/O S B A SHIPYARD  
6430 BUFFALO SPEEDWAY  
HOUSTON TX 77005-3829

**Ward**

2

**Type**

RE

**Legal**

LOTS 1 5 & THAT PART LOT 2 S OF 17.63 AC TRACT IN 19-10-2. LESS 4.4 ACS AS PER PLAT  
538-782, LESS 29.15 ACRES SOLD BK 880 PAGE 405. 294-150 362-590  
536-712 538-755

**Physical Address****Parcel Items**

Property Class	Assessed Value	Units	Homestead
TMBR. CLASS IV- Use Value	282	32.00	0
RES ACREAGE (MV) 1-3 Acres	16,000	32.00	0
<b>TOTAL</b>	<b>16,282</b>	<b>64.00</b>	<b>0</b>

**Deeds**

Deed#	Type	Date	Amount	Book	Page
	UNKNOWN	1/1/1990	0		

**Ownership History**

Homestead?	Name	Primary?	% Ownership	% Tax	From	To	Address
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Homestead?	Name	Primary?	% Ownership	% Tax	From	To Address
NO	SMAILHALL, LOUIS & SUZANNE C.	YES	100.0000	100.0000	1/1/1990	

**Locations**

Subdivision	Block	Lot	Section	Township	Range	Tract
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**PARISH**

Millage	Mills	Taxpayer Tax	Homestead Tax
ROAD DISTRICT 10	11.0000	179.10	0.00
SCHOOL DISTRICT 2 MAINT	10.7300	174.71	0.00
PARISH GENERAL - OUTSIDE	4.1000	66.76	0.00
FIRE DISTRICT 2 MAINT	11.3100	184.15	0.00
DD - BROADMORE DRAINAGE	8.8000	143.28	0.00
FORESTRY PROTECTION FEE	0.0000	2.56	0.00
SCHOOL DISTRICT 2 BOND	13.0000	211.67	0.00
PW - ASSESSMENT DIST	2.5100	40.87	0.00
PW - CO-OP EXTENSION SVC	0.9700	15.79	0.00
PW - COURTHOUSE MAINT	2.5200	41.03	0.00
PW - LAW ENFORCEMENT- CONST	6.2000	100.95	0.00
PW - LAW ENFORCEMENT- VOTED	5.9500	96.88	0.00
PW - LIBRARY	5.7800	94.11	0.00
PW - PARISH SCHOOL-VOTED	10.7700	175.36	0.00
PW - PARISH SCHOOL-CONST	6.4800	105.51	0.00
PW - MOSQUITO ABATEMENT	8.0000	130.26	0.00
<b>TOTALS</b>	<b>108.1200</b>	<b>1,762.99</b>	<b>0.00</b>

611337  
NOTICE OF  
SEISMIC PERMIT AND LEASE  
OPTION AGREEMENT

RECEIVED AND FILED  
2005 APR 15 AM 9:35

0045

925

STATE OF LOUISIANA  
PARISH OF JEFFERSON DAVIS

This Agreement entered into on June 03, 2004, by and between S.B.A. SHIPYARD, represented by Louis H. Smailhall, Jr., whose address is P.O. Box 1386, Jennings, LA 70546, SUEANNE SMAIHALL CORNELIUS, represented by Louis H. Smailhall, Jr., Attorney-in-Fact, whose address is 6430 Buffalo Speedway, Houston, TX 77005 & LOUIS H. SMAIHALL, JR., a person of full age, whose address is P.O. Box 1386, Jennings, LA 70546, hereinafter referred to as "Optionor(s)", and Energy Lease & Permit, Inc., whose address is 1304 Bertrand Ste E7, Lafayette, LA 70506, hereinafter referred to as "ELP, Inc.".

WITNESSETH:

Optionor(s) and ELP, Inc. have this day entered into Seismic Permit and Lease Option Agreement ("Option Agreement") covering the following described lands located in Jefferson Davis Parish, Louisiana (the "lands"), to wit:

Tract: 1      Total Gross Acres: 64.000      Section 19, Township 10 South, Range 2 West

That certain tract of land containing 65.00 acres, more or less, being located in Section 19, Township 10 South, Range 2 West, being Lots 1 and 5 of Section 19, Township 10 South, Range 2 West, LESS AND EXCEPT 4.40 acres described in that Act of Sale dated September 21, 1982, filed September 22, 1982, Under Entry Number 439464, Conveyance Book 538, Page 782, and LESS AND EXCEPT 29.15 acres, more or less, described in that Act of Sale and Mortgage dated March 26, 1999, filed March 26, 1999, Under Entry Number 560670, Conveyance Book 880, Page 405 of the Conveyance Records of Jefferson Davis Parish, Louisiana, said tract being bounded, now or formerly, as follows: North by Leevao Industries, L.L.C.; West by Bowman Land Company; South by Ethel Bowman, et al and in part by the Mermentau River; and East by the Mermentau River.

Containing 64.000 gross acres, more or less, whether properly or specifically described or not.

All parties hereto agree that this agreement shall cover and include any and all right, title and interest which Optionor(s) herein may own or claim underlying any road, canal, ditch, servitude, right-of-way or waterway which passes through, over or adjacent to the lands herein described, whether specifically described or not, and that the monies due and paid under this agreement constitutes adequate consideration for the inclusion of same herein.

In the Option Agreement, Optionor(s) grants to ELP, Inc. the exclusive right and irrevocable option, for a period of Twenty-Four months from this date, of entering upon and conducting oil and gas related geophysical operations upon, over and across the lands, together with all privileges necessary, useful or convenient in connection therewith, and further grants the exclusive right and option to acquire an Oil, Gas and Mineral Lease or Oil, Gas and Mineral Leases, having a primary term of Three (3) years covering all or any part of Optionor(s)'s unleased mineral interests in, to and under all of the lands, subject to the terms and conditions set forth more fully in the Option Agreement. ELP, Inc. or its assigns can extend for an additional six months the right to conduct seismic operations and the option period to acquire an Oil, Gas and Mineral Lease(s) by making the payment described therein.

This Notice of Seismic Permit and Lease Option Agreement is subject to the terms and conditions of that certain Option Agreement of even date herewith between the parties hereto which, with all of its terms, covenants and other conditions, is hereby referred to and incorporated herein the same as if copied in full herein at this point.

Optionor(s) and ELP, Inc. are executing this Notice of Seismic Permit and Lease Option Agreement for the purpose of placing the same of record in the aforementioned Parish and State, to give constructive notice of all of the terms of the Option Agreement in lieu of recording the Option Agreement in its entirety.

IN WITNESS WHEREOF, this Notice of Seismic Permit and Lease Option Agreement is executed as of the day, month and year first hereinabove written

Rene P. Mouton  
Rene P. (Witness) Mouton  
Stacie Bourque  
Stacie (Witness) Bourque

Energy Lease & Permit, Inc.  
Energy Lease & Permit, Inc.

Russell A. Caffery  
Russell A. (Witness) Caffery

Louis H. Smailhall, Jr.  
Louis H. Smailhall, Jr., representing his own interests, SBA Shipyard, and as Attorney-in-Fact for Suzanne Smailhall Cornelius

Leona B. Smailhall

72-0602084

611337

STATE OF 926

PARISH (OR COUNTY) OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known to be the person described in and who executed the foregoing instrument, and acknowledged that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF LOUISIANA

PARISH OF JEFFERSON DAVIS

BEFORE ME, the undersigned Notary Public, on this day personally appeared RUSSELL CAFFERY, who, being by me duly sworn, stated under oath that he was one of the subscribing witnesses to the foregoing instrument and that the same was signed by LOUIS H. SMAIHALL, JR., representing his own interests, S.B.A. SHIPYARD, and as Attorney-in-Fact for SUZANNE SMAIHALL CORNELIUS, in his presence and in the presence of the other subscribing witness (es).

SWORN TO AND SUBSCRIBED before me JUNE 9, 2004.

  
 (068829)  
Notary Public in and for Jefferson Davis Parish, Louisiana.

**CORPORATE ACKNOWLEDGEMENT**

ON THIS 9 day of JUNE, 2004, before me appeared LYLE GREMILLION to me personally known, who, being by me duly sworn, did say that he is the PRESIDENT of the ENERGY LEASE & PERMIT, INC., and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said LYLE GREMILLION acknowledged said instrument to be the free act and deed of said corporation.

  
 (068829)  
Notary Public in and for Jefferson Davis Parish, Louisiana.

**ENCLOSURE C**

**SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA  
GENERAL NOTICE LETTER**

**SMALL BUSINESS RESOURCES FACT SHEET**



## U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

### Small Business Programs

[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)  
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

### EPA's Asbestos Small Business Ombudsman

[www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888  
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

### EPA's Compliance Assistance Homepage

[www2.epa.gov/compliance](http://www2.epa.gov/compliance)  
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

### EPA's Compliance Assistance Centers

[www.assistancecenters.net](http://www.assistancecenters.net)  
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

### Agriculture

[www.epa.gov/agriculture/](http://www.epa.gov/agriculture/)

### Automotive Recycling

[www.ecarcenter.org](http://www.ecarcenter.org)

**Automotive Service and Repair**  
[ccar-greenlink.org/](http://ccar-greenlink.org/) or 1-888-GRN-LINK

**Chemical Manufacturing**  
[www.chemalliance.org](http://www.chemalliance.org)

**Construction**  
[www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911

**Education**  
[www.campuserc.org](http://www.campuserc.org)

**Food Processing**  
[www.fpeac.org](http://www.fpeac.org)

**Healthcare**  
[www.hercenter.org](http://www.hercenter.org)

**Local Government**  
[www.lgean.org](http://www.lgean.org)

**Metal Finishing**  
[www.nmfrc.org](http://www.nmfrc.org)

**Paints and Coatings**  
[www.paintcenter.org](http://www.paintcenter.org)

**Printing**  
[www.pneac.org](http://www.pneac.org)

**Ports**  
[www.portcompliance.org](http://www.portcompliance.org)

**Transportation**  
[www.tercenter.org](http://www.tercenter.org)

**U.S. Border Compliance and Import/Export Issues**  
[www.bordercenter.org](http://www.bordercenter.org)

**EPA Hotlines, Helplines and Clearinghouses**  
[www2.epa.gov/home/epa-hotlines](http://www2.epa.gov/home/epa-hotlines)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

**Clean Air Technology Center (CATC) Info-line**  
[www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800

**Superfund, TRI, EPCRA, RMP and Oil Information Center**  
[www.epa.gov/superfund/contacts/infocenter/index.htm](http://www.epa.gov/superfund/contacts/infocenter/index.htm) or 1-800-424-9346

**EPA Imported Vehicles and Engines Public Helpline**  
[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or 734-214-4100

**National Pesticide Information Center**  
[www.npic.orst.edu/](http://www.npic.orst.edu/) or 1-800-858-7378

**National Response Center Hotline** to report oil and hazardous substance spills - [www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802

**Pollution Prevention Information Clearinghouse (PPIC)** - [www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or 1-202-566-0799

**Safe Drinking Water Hotline** - [www.epa.gov/drink/hotline/index.cfm](http://www.epa.gov/drink/hotline/index.cfm) or 1-800-426-4791



### Stratospheric Ozone Protection Hotline

[www.epa.gov/ozone/comments.htm](http://www.epa.gov/ozone/comments.htm) or 1-800-296-1996

### Toxic Substances Control Act (TSCA) Hotline

[tsc hotline@epa.gov](mailto:tsc hotline@epa.gov) or 1-202-554-1404

### Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

### Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

### State Resource Locators

[www.envcap.org/statetools](http://www.envcap.org/statetools)

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

### State Small Business Environmental Assistance Programs (SBEAPs)

[www.epa.gov/sbo/507program.htm](http://www.epa.gov/sbo/507program.htm)

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

### EPA's Tribal Portal

[www.epa.gov/tribalportal/](http://www.epa.gov/tribalportal/)

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

### EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

### EPA's Small Business Compliance Policy

[www2.epa.gov/enforcement/small-businesses-and-enforcement](http://www2.epa.gov/enforcement/small-businesses-and-enforcement)

This Policy offers small businesses special incentives to come into compliance voluntarily.

### EPA's Audit Policy

[www2.epa.gov/compliance/epas-audit-policy](http://www2.epa.gov/compliance/epas-audit-policy)

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

### Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*



**ENCLOSURE D**

**SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA  
GENERAL NOTICE LETTER**

**PARTIES RECEIVING GENERAL NOTICE LETTER**

Bunge Street Properties, LLC  
Christian G. Vaccari  
Registered Agent  
217 North Columbia Street  
Covington, Louisiana 70433

Suzanne Smaihall Cornelius  
6430 Buffalo Speedway  
Houston, Texas 77005

SBA Shipyards, Inc.  
D. Keith Wall  
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302 East Nezpique Street  
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6430 Buffalo Speedway  
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